

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

NAJA A. STOKES,

Petitioner,

v.

Case No. 2:22-cv-03921

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Peter B. Silvain, Jr.

WARDEN, SOUTHEASTERN  
CORRECTIONAL INSTITUTION,

Respondent.

**ORDER**

On October 20, 2023, the Magistrate Judge issued a Report and Recommendation recommending that *pro se* Petitioner Naja A. Stokes's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied, and this action be dismissed with prejudice. (ECF No. 14.) Although the parties were advised of the right to object to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so (*id.* PageID 891–92), no objections have been filed.

The Report and Recommendation therefore is **ADOPTED and AFFIRMED**. (ECF No. 14.) This action is **DISMISSED with prejudice**. Petitioner has waived the right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Nor has the Petitioner stated a “viable claim or denial of a constitutional right” or presented an issue that is “adequate to deserve encouragement to proceed further.” *See Slack v. McDaniel*, 529 U.S. 473, 475 (2000) (*citing Barefoot v. Estelle*, 463 U.S. 880, 893 & n.4 (1983)); *see also* 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). The Court therefore **DECLINES** to issue a certificate of appealability. As for any application by Petitioner to

proceed on appeal *in forma pauperis*, the Court certifies that an appeal of this Order would not be taken in “good faith,” and therefore **DENIES** Petitioner leave to appeal *in forma pauperis* upon a showing of financial necessity. *See* Fed. R. App. P. 24(a); *Kincade v. Sparkman*, 117 F.3d 949, 952 (6th Cir. 1997).

The Clerk is **DIRECTED** to **ENTER JUDGMENT** and **CLOSE** the case.

**IT IS SO ORDERED.**

1/4/2024  
**DATE**

s/Edmund A. Sargus, Jr.  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**